

City of Coconut Creek

4800 West Copans Road Coconut Creek, FL 33063

Meeting Agenda - Final

City Commission

JOSHUA RYDELL, MAYOR
SANDRA L. WELCH, VICE MAYOR
REBECCA A. TOOLEY, COMMISSIONER
LOU SARBONE, COMMISSIONER
MIKKIE BELVEDERE, COMMISSIONER
MARY C. BLASI, CITY MANAGER
TERRILL C. PYBURN, CITY ATTORNEY
LESLIE WALLACE MAY, CITY CLERK

COMMISSION MEETINGS

TIME: Second and fourth Thursdays of the month at 7:00 p.m.
PLACE: Coconut Creek Government Center, 4800 West Copans
Road

Thursday, October 25, 2018

7:00 PM

Coconut Creek Government Center

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE

PRESENTATION(S)

1. 18-175 A PRESENTATION RECOGNIZING THE COCONUT CREEK POLICE DEPARTMENT'S ACHIEVEMENT OF ACCREDITED STATUS BY THE COMMISSION FOR FLORIDA LAW ENFORCEMENT ACCREDITATION, INC. (CFA).

<u>Attachments:</u> <u>BACKUP-CFA Accreditation Award Letter</u>

2. <u>18-159</u> A PRESENTATION RECOGNIZING MR. LUCIANO CESARUO WITH A

POLICE DEPARTMENT COMMENDATION.

Attachments: BACKUP-Police Department Commendation Letter

Legislative History

10/11/18 City Commission referred to the City Commission

3. 18-154 A SWEARING-IN CEREMONY FOR NEW POLICE OFFICER AMANDA

L. CUMMINGS.

4. <u>18-157</u> A PRESENTATION RECOGNIZING FOURTH QUARTER EMPLOYEE

MILESTONE ANNIVERSARIES FOR FISCAL YEAR 2018.

5. <u>18-168</u> A PROCLAMATION RECOGNIZING NOVEMBER 10, 2018, AS "MENTAL

HEALTH DAY."

<u>Attachments:</u> PROCLAMATION-NAMIWalks Mental Health Day

6. <u>18-174</u> A PROCLAMATION RECOGNIZING OCTOBER 22-28, 2018, AS

"FLORIDA CITY GOVERNMENT WEEK."

Attachments: PROCLAMATION-Florida City Government Week

INPUT FROM RESIDENTS OF COCONUT CREEK

Three (3) minutes per resident on non-agenda items.

CITY MANAGER REPORT

CITY ATTORNEY REPORT

COMMISSION COMMUNICATIONS

CONSENT AGENDA (7:30 Time Certain-Immediately followed by the Regular Agenda)

7. 18-170 A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY

COMMISSION MEETING(S). (2018-0912S, 2018-0913WS, AND

2018-0917WS)

Sponsors: City Clerk

Attachments: MINUTES-2018-0912 Special Commission Mtg (1st Budget Hearing)

MINUTES-2018-0913 Workshop MINUTES-2018-0917 Workshop

8. RES A RESOLUTION SUPPORTING THE CLOSURE OF BROWARD

2018-245 COUNTY PUBLIC SCHOOLS ON ELECTION DAY OR THE

RELOCATION OF VOTING PRECINCTS FROM BROWARD COUNTY

PUBLIC SCHOOLS.

<u>Sponsors:</u> City Commission

Attachments: RESOLUTION 2018-245-Support for Closing Schools on Election Day

9. RES A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE,

2018-182 TO EXECUTE AN INDEMNIFICATION AGREEMENT WITH LEDER

HILLSBORO, LLC, PROVIDING THE CITY INDEMNIFICATION AS THE PERMITTEE OF THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) UTILITY PERMIT ISSUED FOR CONSTRUCTION OF TWO WATER CONNECTIONS TO THE LEDER HILLSBORO DEVELOPMENT

PROJECT.

Sponsors: Utilities and Engineering

Attachments: RESOLUTION 2018-182-Leder Hillsboro Indemnification Agrmt

AGREEMENT-Leder Hillsboro Indemnification

MAP-Project Location-Leder Hillsboro

10. RES A RESOLUTION ACCEPTING A UTILITY EASEMENT FROM MCA

2018-206 PROMENADE OWNER, LLC, A DELAWARE LIMITED LIABILITY

COMPANY, TO THE CITY FOR A PORTION OF LAND LYING WITHIN A

PORTION OF PARCEL "A," GREEN FARM REPLAT.

Sponsors: Utilities and Engineering

Attachments: RESOLUTION 2018-206-Green Farm Replat-Cooper's Hawk Utility Easement

EXHIBIT 1-Utility Easement-Green Farm Replat-Cooper's Hawk

EXHIBIT 2-Bill of Sale-Green Farm Replat-Cooper's Hawk

MAP-Cooper's Hawk Easement Location

11. RES A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE,

2018-208 TO EXECUTE AGREEMENTS WITH HINTERLAND GROUP, INC.

(PRIMARY CONTRACTOR) AND SHENANDOAH GENERAL

CONSTRUCTION COMPANY (SECONDARY CONTRACTOR) TO PROVIDE REHABILITATION, REPAIRS, AND NEW CONSTRUCTION SERVICES FOR STORMWATER CONVEYANCE SYSTEM PURSUANT

TO BID NO. 06-27-18-11.

Sponsors: Utilities and Engineering

Attachments: RESOLUTION 2018-208-Hinterland Group-Shenandoah General Construction I

AGREEMENT-Hinterland-Primary Bid No. 06-27-18-11

AGREEMENT-Shenandoah-Secondary Bid No. 06-27-18-11

BACKUP-Bid No. 06-27-18-11

12. RES A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE,

2018-247 TO EXECUTE AN INTERLOCAL AGREEMENT (ILA) WITH THE CITY OF

POMPANO BEACH, THE CITY OF MARGATE, THE CITY OF NORTH LAUDERDALE AND THE CITY OF CORAL SPRINGS FOR SHARING THE COST OF THE DEVELOPMENT OF A BACTERIA POLLUTION

CONTROL PLAN.

Sponsors: Utilities and Engineering

<u>Attachments:</u> RESOLUTION 2018-247-C-14 Bacteria Pollution Control Plan ILA

AGREEMENT-C-14 Bacteria Pollution Control Plan (BPCP) ILA

BACKUP-Consultant Service Contract-C-14 Bacterial Control Plan

BACKUP-NPDES MS4 Permit-C-14 Bacterial Control Plan
BACKUP-Resolution 2017-177-NPDES MS4 Permit ILA

13. RES A RESOLUTION RESCINDING RESOLUTION NO. 2018-134 AND

2018-228 AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN

AMENDMENT TO THE AGREEMENT WITH TASER INTERNATIONAL,

INC. FOR THE PURCHASE OF TASER EQUIPMENT AND TO ACKNOWLEDGE THE CHANGE OF NAME FROM TASER INTERNATIONAL, INC. TO AXON ENTERPRISE, INC.

Sponsors: Police Department

Attachments: RESOLUTION 2018-228-TASER

TASER-Memo

AGREEMENT-TASER-AXON Amendment No. 1

EXHIBIT A-1-TASER-AXON Amendment No. 1

EXHIBIT B-TASER-AXON Amendment No. 1

EXHIBIT C-TASER-AXON Amendment No. 1

BACKUP-Resolution No. 2018-134
BACKUP-Original TASER Agreement

Legislative History

10/11/18 City Commission tabled to date certain to the City

Commission

REGULAR AGENDA

Utilities and Engineering

14. RES A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE,

2018-212 TO EXECUTE AN AGREEMENT WITH AUM CONSTRUCTION, INC. FOR

THE CONSTRUCTION OF A TRAFFIC SIGNAL AT THE LYONS ROAD

AND ST. ANDREWS/WINSTON PARK PLAZA INTERSECTION

PURSUANT TO PROJECT BID NO. 06-13-18-11.

Attachments: RESOLUTION 2018-212-Traffic Signal Implementation, Bid No. 06-13-18-11

AGREEMENT-Traffic Signal Implementation, Bid No. 06-13-18-11

BACKUP-Traffic Signal Implementation, Bid No. 06-13-18-11

EXHIBIT 1-St. Andrews Temporary Easement

EXHIBIT 2-APEC Temporary Construction Easement

Sustainable Development

15. ORD AN ORDINANCE APPROVING THE REZONING REQUEST OF

2018-026 RAMCO-GERSHENON PROPERTIES, L.P. TO REZONE FROM B-2

(CONVENIENCE SHOPPING) AND B-3 (COMMUNITY SHOPPING) TO

PLANNED COMMERCE DISTRICT (PCD) FOR THE PROPERTY

GENERALLY LOCATED ON THE SOUTHEAST CORNER OF JOHNSON ROAD AND STATE ROAD 7 (US 441) WITHIN THE SAWGRASS PARK OF COMMERCE PLAT. (QUASI-JUDICIAL)(FIRST PUBLIC HEARING)

Attachments: ORDINANCE 2018-026-Coral Creek Shops PCD

BACKUP-Map-Coral Creek Shops PCD

BACKUP-Coral Creek Shops PCD Document

BACKUP-Applicant Presentation-Coral Creek Shops PCD

MINUTES-PZ Mtg 2018-0912

16. ORD AN ORDINANCE APPROVING THE SPECIAL LAND USE APPLICATION

2018-027 OF RAMCO/ CORAL CREEK LLC, TO PERMIT A DRIVE-THRU FOR

THE PROPOSED WENDY'S RESTAURANT LOCATED AT THE

SOUTHEAST CORNER OF JOHNSON ROAD AND STATE ROAD 7 (US 441) PURSUANT TO SECTION 13-35, "SPECIAL LAND USE," OF THE CITY'S CODE OF ORDINANCES. (QUASI-JUDICIAL)(FIRST PUBLIC

HEARING)

Attachments: ORDINANCE 2018-027-Wendy's SLU

BACKUP-Map-Wendy's SLU

BACKUP-Justification-Wendy's SLU

BACKUP-Applicant Presentation-Wendy's SLU

MINUTES-PZ Mtg 2018-0912

17. RES A RESOLUTION APPROVING THE SITE PLAN REQUEST OF

2018-227 RAMCO/CORAL CREEK, LLC FOR THE DEVELOPMENT OF A

WENDY'S FAST FOOD RESTAURANT WITH A DRIVE-THRU AND

OUTDOOR DINING AREA GENERALLY LOCATED AT THE

SOUTHEAST CORNER OF JOHNSON ROAD AND STATE ROAD 7 (US

441). (QUASI-JUDICIAL)(PUBLIC HEARING)

Attachments: RESOLUTION 2018-227-Wendy's Site Plan

BACKUP-Map-Wendy's Site Plan
BACKUP-Wendy's Site Plan

BACKUP-Community Outreach Summary

BACKUP-Applicant Presentation-Wendy's Site Plan

MINUTES-PZ Mtg 2018-0912

18. RESOLUTION APPROVING THE SITE PLAN REQUEST OF

2018-225 RAMCO-GERSHENSON PROPERTIES, L.P. TO MODIFY THE EXISTING

CORAL CREEK SHOPS SHOPPING PLAZA MASTER SITE PLAN

GENERALLY LOCATED ON THE SOUTHEAST CORNER OF JOHNSON ROAD AND STATE ROAD 7 (US 441). (QUASI-JUDICIAL)(PUBLIC

HEARING)

Attachments: RESOLUTION 2018-225-Coral Creek Shops Site Plan

BACKUP-Map-Coral Creek Shops Site Plan

BACKUP-Site Plan-Coral Creek Shops

BACKUP-Community Outreach Summary

BACKUP-Applicant Presentation-Coral Creek Shops Site Plan

MINUTES-PZ Mtg 2018-0912

19. ORD AN ORDINANCE TO MODIFY AN EXISTING PLANNED COMMERCE

2018-028 DISTRICT (PCD) IN ORDER TO ACCOMODATE THE CONSTRUCTION
OF A CHICK-FIL-A RESTAURANT WITH A DUAL DRIVE-THRU LANE

LOCATED IN THE VILLAGE SHOPPES OF COCONUT CREEK AT THE NORTHEAST CORNER OF WILES ROAD AND STATE ROAD 7 (US

441).(QUASI-JUDICIAL)(FIRST PUBLIC HEARING)

<u>Attachments:</u> ORDINANCE 2018-028-Chick-Fil-A Rezoning (PCD Mod)

BACKUP-Map-Chick-Fil-A Rezoning

BACKUP-Applicant presentation-Chick-Fil-A Rezoning
BACKUP-PCD (with strike thru)-Chick-Fil-A Rezoning

BACKUP-PCD (clean)-Chick-Fil-A Rezoning

BACKUP-Ordinance No. 2007-011 MINUTES-PZ Mtg 2018-0912 **20**. ORD

2018-030

AN ORDINANCE APPROVING THE SPECIAL LAND USE APPLICATION OF VILLAGE SHOPPES OF COCONUT CREEK INVESTMENTS, LLC TO PERMIT A CHICK-FIL-A RESTAURANT WITH A DUAL DRIVE-THRU LANE TO BE LOCATED IN THE VILLAGE SHOPPES OF COCONUT CREEK AT THE NORTHEAST CORNER OF WILES AND STATE ROAD 7 (US 441) PURSUANT TO SECTION 13-35, "SPECIAL LAND USE," OF THE CITY'S CODE OF ORDINANCES. (QUASI-JUDICIAL)(FIRST

PUBLIC HEARING)

Attachments:

ORDINANCE 2018-030-Chick-Fil-A SLU

BACKUP-Map-Chick-Fil-A SLU

BACKUP-Chick-Fil-A Justification & Narrative SLU
BACKUP-Applicant Presentation-Chick-Fil-A SLU

MINUTES-PZ Mtg 2018-0912

21. RES

2018-231

A RESOLUTION APPROVING THE SITE PLAN REQUEST OF VILLAGE SHOPPES OF COCONUT CREEK INVESTMENTS, LLC FOR THE DEVELOPMENT OF A FREE STANDING CHICK-FIL-A RESTAURANT WITH A DUAL DRIVE-THRU LANE LOCATED IN VILLAGE SHOPPES OF COCONUT CREEK AT THE NORTHEAST CORNER OF WILES AND STATE ROAD 7 (US 441). (QUASI-JUDICIAL)(PUBLIC HEARING)

Attachments:

RESOLUTION 2018-231-Chick-Fil-A Site Plan

BACKUP-Map-Chick-Fil-A Site Plan
BACKUP-Chick-Fil-A-Site Plan

BACKUP-Community Memo-Chick-Fil-A Site

BACKUP-Applicant Presentation-Chick-Fil-A Site Plan

MINUTES-PZ Mtg 2018-0912

22. ORD

2018-031

AN ORDINANCE APPROVING THE "LYONS COMMUNITY CENTER PLAT" APPLICATION TO ALLOW FOR THE DEVELOPMENT OF A 198-SEAT HOUSE OF WORSHIP WITH A CHILD CARE FACILITY LOCATED AT 7650 LYONS ROAD. (QUASI-JUDICIAL)(FIRST PUBLIC

HEARING)

Attachments: ORDINANCE 2018-031-Lyons Community Center Plat

EXHIBIT B-Lyons Community Center Plat

BACKUP-Map-Lyons Community Center Plat

BACKUP-Access Easement Agrmt-Lyons Community Center Plat
BACKUP-Applicant Presentation-Lyons Community Center Plat

MINUTES-PZ Mtg 2018-0912

23. ORD AN ORDINANCE APPROVING THE REZONING REQUEST OF

2018-032 GERALDO STAZIAKI TO REZONE FROM AGRICULTURAL (A-1) TO

COMMUNITY FACILITY (CF) FOR THE PROPERTY LOCATED AT 7650

LYONS ROAD. (QUASI-JUDICIAL)(FIRST PUBLIC HEARING)

Attachments: ORDINANCE 2018-032-Lyons Community Center Rezoning

BACKUP-Map-Lyons Community Center Rezoning

BACKUP-Justification & Traffic Analysis-Lyons Community Center Rezoning

BACKUP-Applicant Presentation-Lyons Community Center Rezoning

MINUTES-PZ Mtg 2018-0912

24. RES A RESOLUTION APPROVING THE SITE PLAN REQUEST OF

2018-233 GERALDO STAZIAKI TO DEVELOP A TWO-STORY, 13,080 SQUARE

FOOT STRUCTURE TO ACCOMMODATE UP TO 198 SEATS WITHIN THE HOUSE OF WORSHIP AND UP TO EIGHT (8) CLASSROOMS FOR THE PROPOSED CHILD CARE FACILITY TO BE LOCATED AT 7650

LYONS ROAD. (QUASI-JUDICIAL)(PUBLIC HEARING)

Attachments: RES 2018-233 Lyons Community Center Site Plan

BACKUP-Map-Lyons Community Center Site Plan

BACKUP-Lyons Community Center-Site Plan

BACKUP-Community Involvement Report-Lyons Community Center Site Plan

BACKUP-Applicant Presentation-Lyons Community Center Site Plan

MINUTES-PZ Mtg 2018-0912

City Attorney

25. ORD 2018-034

AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE I. "ADMINISTRATION, REGULATIONS AND PROCEDURES," DIVISION 1, "GENERALLY," BY ENACTING SECTION 13-5, "SEVERABILITY," TO PROVIDE FOR GENERAL SEVERABILITY AMONG THE PROVISIONS OF THE LAND DEVELOPMENT CODE; ARTICLE III, "ZONING REGULATIONS," DIVISION 1, "GENERALLY," SECTION 13-295, "DEFINITIONS," TO OMIT THE DEFINITION OF CHURCH AND AMEND THE DEFINITION OF HOUSE OF WORSHIP; DIVISION 3, "ZONING DISTRICT REGULATIONS AND TABLES," SECTIONS 13-331, "GENERAL PROVISIONS," 13-348, "PLANNED UNIT DEVELOPMENT DISTRICT," 13-354, "COMMUNITY FACILITY DISTRICT," 13-355, "PLANNED COMMERCE DISTRICT;" AND DIVISION 8, "MASTER BUSINESS LIST," SECTIONS 13-621, "MASTER BUSINESS LIST - B-2, B-3, AND B-4," 13-622, "MASTER BUSINESS LIST - IO-1, IM-1," 13-623, "MASTER BUSINESS LIST - O-2, O-3," TO PROVIDE CONSISTENCY WITH THE FEDERAL RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000 (RLUIPA). (FIRST READING)(PUBLIC **HEARING**)

Attachments:

ORDINANCE 2018-034-Ch 13 Code Amendments (RLUIPA)

MINUTES-Draft PZ Minutes Excerpt 2018-1010

26. ORD 2018-035

AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING THE ENTIRETY OF CHAPTER 8, "ELECTIONS," TO PROVIDE FOR UPDATED AND CONSISTENT REGULATIONS WITH STATE ELECTION LAWS AND CITY CHARTER PROVISIONS; AND BY AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE II, "CITY COMMISSION," BY REPEALING SECTION 2-22, "VACANCY IN CANDIDACY," IN ITS ENTIRETY IN ITS CURRENT LOCATION IN ORDER TO RELOCATE THE LANGUAGE INTO A MORE RELEVANT LOCATION WITHIN CHAPTER 8, "ELECTIONS," AND BY REPEALING SECTION 2-24, "CITY COMMISSION CANDIDATE QUALIFICATIONS," AS THOSE PROVISIONS ARE SET FORTH IN THE CITY CHARTER AS OF THE EFFECTIVE DATE OF THE CHARTER REVISIONS OF 2016. (FIRST READING)

<u>Attachments:</u> ORDIN

ORDINANCE 2018-035-Chapter 8 Elections Update

27. ORD 2018-024 AN ORDINANCE REPEALING IN ITS ENTIRETY ORDINANCE NO. 2013-023, PROVIDING FOR A REVISION OF THE BOUNDARIES OF

CITY COMMISSION VOTING DISTRICTS; ACCEPTING THE

RECOMMENDATION OF THE 2018 RE-DISTRICTING BOARD, WHICH PROVIDES FOR A REVISION OF THE EXISTING LEGAL BOUNDARIES FOR THE FIVE (5) AT LARGE COMMISSION VOTING DISTRICTS, AS MORE FULLY DESCRIBED IN THE MAP AND LEGAL DESCRIPTIONS LABELED "A" THROUGH "E," RESPECTIVELY. (SECOND READING)

(PUBLIC HEARING)

Attachments:

ORDINANCE 2018-024-Re-districting (2018)

EXHIBIT-Legal Description-Voting District A (unchanged)

EXHIBIT-Legal Description-Voting District B (unchanged)

EXHIBIT-Updated Legal Description-Voting District C

EXHIBIT-Updated Legal Description-Voting District D

EXHIBIT-Updated Legal Description-Voting District E

EXHIBIT-Map 10 (Re-districting Alternative 4)

BACKUP-Board Recommendation Memo & Final Consultant Report

BACKUP-Initial Consultant Report (2018-0821)

BACKUP-Ordinance 2013-023 (Re-districting 2013)

Legislative History

10/11/18 City Commission

approved on first reading to the City

Commission

28. RES

<u>2018-257</u>

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY, ON BEHALF OF THE CITY, TO ENGAGE THE SERVICES OF OUTSIDE

COUNSEL TO FILE AN APPEAL REGARDING THE FEDERAL

COMMUNICATIONS COMMISSION'S DECLARATORY RULING AND

THIRD REPORT AND ORDER IN WIRELESS AND WIRELINE INFRASTRUCTURE DOCKET NUMBERS 17-79 AND 17-84,

RESPECTIVELY, AND TO JOIN THE COALITION OF CITIES AND

COUNTIES NATIONWIDE SEEKING RELIEF FROM THE

OVERREACHING AND BURDENSOME REGULATIONS ENACTED THEREBY IN ORDER TO PRESERVE THE CITY'S RIGHTS AND

REMEDIES THEREUNDER.

Attachments:

RESOLUTION 2018-257-Appeal of FCC Small Cell Preemption Order

ADJOURNMENT

NOTE: If any person, firm, or corporation decides to appeal any decision made by the above City Commission with respect to any matter considered at such meeting or hearing, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence, if any, upon which the appeal is to be based. (F.S. 286.0105)

In accordance with the Americans with Disabilities Act, any person with a disability who requires assistance to participate in said meeting may contact the City Clerk's Office at 954-973-6774 at least two (2) days prior to said meeting.

Please note that two (2) or more members of the Re-Districting Board may be in attendance.